

PATENT

Atty Docket No. ROC920030367US1 (IBM/289)
Confirmation No. 6194

CERTIFICATE OF ELECTRONIC TRANSMISSION

I hereby certify that this correspondence for Application No. 10/758,484 is being electronically transmitted to Technology Center 2186, via EFS-WEB, on May 15, 2006.

/Douglas A. Scholer/
Douglas A. Scholer, Reg. No. 52,197

May 15, 2006
Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Kevin Curtis Griffin et al. Art Unit: 2186
Application No.: 10/758,484 Examiner: Jonathan A. Barton
Filed : January 15, 2004
For : ASYNCHRONOUS HYBRID MIRRORING SYSTEM

Mail Stop AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT TRANSMITTAL

- Transmitted herewith is an Amendment After Non-Final Office Action.**
- Small Entity status of this application under 37 CFR 1.9 and 1.27 has been established by a verified statement previously submitted.
 Enclosed is a verified statement to establish Small Entity status
- Other than a Small Entity**

3. The fee has been calculated as shown below:

CALCULATION OF FEES

Fee:	Number of Claims After Amendment:		Previously Paid For:	No. Extra:	At Rate:	Amount:
Total Claims	35	minus	35	0	\$50	\$0.00
Independent Claims	6	minus	6	0	\$200	\$0.00
MULTIPLE DEPENDENT CLAIM FEE					\$360	\$0.00
TOTAL FEE FOR CLAIMS:						\$0.00

No additional fee for claims is required.

4. Attached is a check in the sum of \$_____ for additional claims.
 Please charge my Deposit Account No. 23-3000 in the amount of \$_____.

5. **The proceedings herein are for a patent application and the provisions of 37 CFR 1.136 apply. Complete (a) or (b) as applicable.**

(a) Applicant petitions for an extension of time under 37 CFR 1.136 for the total number of months checked below:

Ext. Mos.	Large entity	Small entity
<input type="checkbox"/> one month	\$ 120.00	\$ 60.00
<input type="checkbox"/> two months	\$ 450.00	\$ 225.00
<input type="checkbox"/> three months	\$1,020.00	\$ 510.00
<input type="checkbox"/> four months	\$1,590.00	\$ 795.00
<input type="checkbox"/> five months	\$2,160.00	\$1,080.00

Extension fee due with this request: \$ _____

Method of Payment:

Check enclosed in the amount of \$ _____

If an additional extension of time is required, please consider this a petition therefor.

(Check and complete the next item, if applicable)

An extension for _____ months has already been secured and the fee paid thereof of \$____ is deducted from the total fee due for the total months of extension now requested. Extension fee due with this request \$_____.

OR

(b) **Applicants believe that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicants have inadvertently overlooked the need for a petition for extension of time.**

6. If any additional fee for claims or extension of time is required, charge Account No. 23-3000.

Respectfully submitted,

WOOD, HERRON & EVANS, L.L.P.

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By: /Douglas A. Scholer/
Douglas A. Scholer
Reg. No. 52,197

Enclosed: Transmittal containing Certificate of Electronic Transmission (2 pages)

Amendment After Non-Final Office Action (8 pages)

Rule 1.131 Declaration for Kevin Curtis Griffin with Exhibit A (7 total pages)

Rule 1.131 Declaration for Scott Dennis Helt with Exhibit A (7 total pages)

Rule 1.131 Declaration for Michael James McDermott with Exhibit A (7 total pages)

Rule 1.131 Declaration for Glen W. Nelson with Exhibit A (7 total pages)

Rule 1.131 Declaration for Mark Philip Piazza with Exhibit A (7 total pages)